



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 07 2018

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Craig O. Pierson
President
Marathon Pipe Line, LLC
539 South Main Street
Findlay, Ohio 45840

Subject: Marathon Pipe Line, LLC Oil Release Site, located on the Big Creek near
Solitude, Indiana

Request for Information Pursuant to Sections 308 and 311 of the Clean Water
Act, 33 U.S.C. §§ 1318 and 1321

Dear Mr. Pierson:

The U.S. Environmental Protection Agency is currently investigating the source, extent and nature of a diesel fuel discharge into or upon the navigable waters and adjoining shorelines of the United States beginning on, or about, March 20, 2018, from the Marathon Pipe Line, LLC (Marathon or you) pipeline located at or near at or near Solitude, Indiana (Facility).

EPA believes that the Facility released oil to navigable waters and adjoining shorelines of the United States including but not limited to the Big Creek just upstream of the Wabash River. EPA is investigating this discharge for possible violations of Section 311(b)(3) of the Clean Water Act, 33 U.S.C. § 1321(b)(3) as amended by the Oil Pollution Act of 1990.

Pursuant to the authority of Sections 308(a) and 311(m) of the Clean Water Act (the Act), 33 U.S.C. §§ 1318(a) and 1321(m), you are requested to respond to the Information Requests enclosed. Compliance with the enclosed Information Requests is mandatory. Failure to respond fully and truthfully to each and every Information Request within thirty (30) calendar days of receipt of this letter can result in enforcement action by EPA pursuant to Section 309 of the Act, 33 U.S.C. § 1319, which, along with the Debt Collection Improvement Act of 1996 and

implemented by the regulations at 40 C.F.R. Part 19, "Adjustment of Civil Penalties for Inflation," authorizes the United States to seek penalties from a Federal Court of up to thirty-seven thousand five hundred dollars (\$37,500) for each day of continued non-compliance. "Non-compliance" is not only failure to respond to these Information Requests but also failure to respond completely and truthfully to each Request. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties of up to sixteen thousand (\$16,000) or up to five (5) years of imprisonment or both under 18 U.S.C. § 1001. EPA has the authority to use the information requested herein in an administrative, civil or criminal action.

These Information Requests are directed to your company, its officers, directors, and employees; its subsidiaries, divisions, and facilities; and its officers, directors and employees. These Information Requests are not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 et seq.

Your response to these Information Requests should be mailed to:

Ellen Riley
Superfund Division
Enforcement and Compliance Branch
Chemical Emergency Prevention and Preparedness Section (SC-5J)
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604-3511

Please provide duplicate copies of all required information to:

Eaton Weiler
Associate Regional Counsel
Office of Regional Counsel (C-14J)
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604-3511

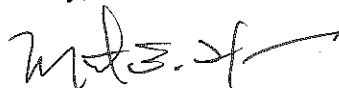
Please direct any technical questions you may have to Ellen Riley at (312) 886-9497 and any legal questions you have to Eaton Weiler at (312) 886-6041.

Due to the seriousness of the problem at the Facility and the legal ramifications of your failure to respond promptly and properly, EPA strongly encourages you to give this matter your immediate attention and to respond to these Information Requests within the time specified above.

Thank you for your cooperation in this matter.

Michael E. Hans

Sincerely,

A handwritten signature in black ink, appearing to read "M.E. Hans", with a long horizontal stroke extending to the right.

for JEZ

Jason El-Zein Chief
Emergency Response Branch #1

Enclosures

Request for Information
Pursuant to Sections 308(a) and 311(m) of the Act

INSTRUCTIONS

1. A separate, written, narrative response must be made to each Information Request.
2. Precede each answer with the number of the Information Request to which it corresponds.
3. In answering each Information Request, identify all contributing sources of information.
4. If information not known or not available to Marathon Pipe Line, LLC (Marathon or you) as of the date of your submission should later become known or available, you must supplement your response to EPA. Moreover, should you find, at any time after your submission that any portion of the submitted information is false or misrepresents the truth, you must notify EPA as soon as possible.
5. For each document produced in response to these Information Requests, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
6. You must respond to these Information Requests on the basis of all information and documents in your possession, custody, or control or in the possession, custody, or control of Marathon's former or current employees, agents, servants, contractors, or attorneys. Furnish such information as is available to you, regardless of whether or not it is based on personal knowledge, and regardless of source.
7. The written statements in your response must be notarized and returned under an authorized signature certifying that all statements contained in the response are true and accurate to the best of the signatory's knowledge and belief.
8. If any documents requested have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify each such document, identify the person to whom it was transferred, describe the circumstances surrounding such transfer or other disposition, and state the date or approximate date of such transfer or other disposition.
9. EPA regulations concerning confidentiality and treatment of business information are contained in 40 C.F.R. Part 2, Subpart B. Information may not be withheld from the Administrator or her authorized representative because it is viewed as confidential. However, when requested to do so, the Administrator is required to consider information to be confidential and to treat it accordingly, if disclosure would divulge methods or processes entitled to protection as trade secrets (33 U.S.C. §§ 1318(b) and 1321(m)(2)(D), and

18 U.S.C. § 1905), except that effluent data (as defined in 40 C.F.R. § 2.302(a)(2)) may not be considered by EPA as confidential. The regulations provide that one may assert a business confidentiality claim covering part or all of any trade secret information furnished to EPA at the time such information is provided to the Agency. The manner of asserting such claims is specified in 40 C.F.R. § 2.203(b). In the event that a request is made for release of information covered by such claim of confidentiality or the Agency otherwise decides to make a determination as to whether or not such information is entitled to such confidential treatment, notice will be provided to the claimant prior to any release of the information. However, if no claim of confidentiality is made when information is furnished to EPA, any information submitted to the Agency may be made available to the public without prior notice.

DEFINITIONS

For the purpose of the Instructions and Information Requests, the following definitions shall apply:

1. The term "you" or "Marathon" shall mean the addressee of these Information Requests, the addressee's officers, managers, employees, contractors, trustees, predecessors, successors, assigns, subsidiaries and agents.
2. The term "person" means, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. The term "Facility" shall mean Marathon's Robinson-Mt. Vernon 10-inch products pipeline (Mt. Vernon Line), originating at the Robinson Refinery in Robinson, Illinois and terminating at the Mt. Vernon station in Mt. Vernon, Indiana.
4. The term "oil" shall have the same definition as that contained in Section 311(a)(1) of the Act, 33 U.S.C. § 1321(a)(1).
5. The term "hazardous substances" shall have the same definition as that contained in Section 311(a)(14) of the Act, 33 U.S.C. § 1321(a)(14), including the substances listed in 40 C.F.R. Part 116.
6. The term "navigable water" shall have the same definition as that contained in the regulation at 40 C.F.R. § 110.1.
7. The terms "describe" or "submit" shall mean turning over to EPA either original or duplicate copies of the requested information in the possession, custody or control of Marathon. Where specific information has not been memorialized in any document but is nonetheless responsive to an information request, you must respond to the request with a written response. If such requested information is not in your possession, custody or control, then indicate where such information or documents may be obtained.
8. The term "identify" means, with respect to a natural person, to set forth his or her full name, present or last known business address, the name of that employer and a description of the job responsibilities of such person.
9. The term "identify" means, with respect to a corporation, partnership, business, trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g. corporation, partnership, etc.) organization, if any, and a brief

description of its business.

10. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance of the subject matter.
11. The term "discharge" shall have the same definition as that contained in Section 311(a)(2) of the Act, 33 U.S.C. § 1321(a)(2), which includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping.
12. The terms "document" and "documents" include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (including by the way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements, and the like, diary, calendar, desk pad, scrap book, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc, or disc pack; and any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc or disc pack, tape or other type of memory and together with printouts of such punch card, disc or disc pack, video tape or other type of memory); including (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like of it, (c) drafts, (d) attachments to or enclosures with any documents and (e) every document referred to in any other document.
13. The terms "and" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Information Requests any information which might otherwise be construed to be outside their scope.
14. The term "petroleum" means crude oil, condensate, natural gasoline, natural gas liquids, and liquefied petroleum gas.
15. The term "petroleum product" means flammable, toxic or corrosive products obtained from distilling and processing of crude oil, unfinished oils, natural gas liquids, blend stocks and other miscellaneous hydrocarbon compounds.
16. The term "pipeline" or "pipeline system" means all parts of a pipeline facility through which oil or petroleum products moves in transportation, including, but not limited to line pipe, valves and other appurtenances connected to line pipe, pumping units, fabricated

assemblies associated with pumping units, metering and delivery stations and fabricated assemblies therein, and breakout tanks.

17. The term "production facility" means piping or equipment used in the production, extraction, recover, lifting, stabilization, separation or treating of oil, or associated storage or measurement.
18. The term "transportation" means the movement of petroleum, petroleum products, or oil and loading, unloading, or storage incidental to that movement.

COUNTRYMARK REFINING AND LOGISTICS LLC, INDIANA

REQUESTS

1. Describe all of the operations of the Facility. If portions of the operations are owned or operated by entities other than you then identify those entities and what portion of the Facility they own or operate.
2. Identify all petroleum and all petroleum products ("oil") used, produced, or stored at the Facility, as well as transported through the Facility, including raw materials, waste materials, and prime products. Include a copy of the MSDS for all petroleum and all petroleum products identified.
3. Describe, in detail, all of the facts related to the discharge of oil from the Facility that began on, or about, March 20, 2018, at or near Solitude, Indiana.
 - a. The duration, amount in gallons of oil, and type of oil released.
 - b. The specific source of the discharge (i.e. underground storage tank, portable transfer pump, pipeline, etc.) and possible causes for the discharge. Include any metallurgic or mechanical analysis performed.
 - c. The area affected by the discharge. Include an assessment of the damage to both public and private property, and to wildlife, resulting from the discharge and ensuing clean-up efforts.
 - d. The details of any evacuation, road closing(s) and/or closing(s) necessary as a result of the discharge. This should include the duration and extent of the evacuation and or closing(s).
 - e. A complete narrative of the response efforts. Include the number of people involved, total man hours, duration of the clean-up, a list of all equipment used and a breakdown of the total cost of the response. Also include a current description of any areas affected by the discharge and the response efforts, and a narrative of current and future clean-up efforts resulting from the discharge.
 - f. A summary of the treatment and disposal of all oil collected during the clean-up, including amounts, in gallons, and types of waste and any waste manifests.
 - g. The date and time that the discharge of oil from the Facility began.
 - h. The name, address, and phone number of the person employed at the Facility that was the first person to become aware of the discharge of oil from the Facility. State the date and time that that person became aware of the discharge of oil from the Facility.

i. The name, address, and phone number of the person employed by *you* that was the first person to become aware of the discharge of oil from the Facility. State the date and time that that person became aware of the discharge of oil from the Facility.

j. The earliest date and time that you first became aware of the discharge of oil from the Facility.

k. The date(s) and time(s) that you notified the National Response Center, the United States Coast Guard, and/or the EPA predesignated On-Scene Coordinator (OSC) of the discharge of oil from the Facility. Provide copies of all records memorializing such notification(s). Identify all other agencies and authorities that you notified of the discharge of oil from the Facility. Provide copies of all records memorializing such notification(s).

l. The date and time that the discharge of oil from the Facility ended.

m. The duration of the discharge and the type of oil discharged from the Facility.

n. The specific location of the discharge of oil from the Facility and all possible causes for the discharge.

o. Specify all of the areas affected by the discharge from the Facility including, but not limited to, the Big Creek and Wabash River and their banks, floodplains and adjacent wetlands. Include an assessment of the damage to both public and private property, public drinking supply, and to wildlife, resulting from the discharge and ensuing clean-up efforts.

4. Identify all owners of the Facility (including owners holding direct and indirect ownership interests in the Facility) at the time of the discharge. State the nature of the ownership interest of each owner. If the owner of the Facility is a partnership, then identify all of the partners (both general and limited) that are members of the partnership. If the owner of the Facility is a limited partnership, then identify all of the partners (both general and limited) that are members of the limited partnership. List all lease, limited and/or general partnership agreements, or any other operating agreements in place during your ownership or operation of the Facility.

5. Identify the person(s) who would have the authority to shut down the pipeline at the time of the discharge. If more than one person had the authority at the time of the discharge, then identify each person at the Facility who had that authority, and the respective dates and times that each such person was in charge of the Facility.

6. State the amount of oil discharged from the Facility on or about March 20, 2018, located near or at Solitude, Indiana on the Big Creek. How did you determine this quantity? Provide documentation to substantiate the quantity.
7. What is the diameter of the pipe (internal and external) at the point of discharge?
8. What was the velocity/flow rate of the product in the pipeline at the point of discharge?
9. How was the discharge detected? Was the discharge detected through loss of pressure in the pipeline? If so, what day and time was the loss of pressure detected?
10. How long after the discharge or loss of pressure did product continue to flow through the pipeline?
11. State all authority that was given to the Facility that allowed the discharge of oil from the Facility including all permits issued to the Facility during the response action.
12. Submit copies of all reports and studies regarding the discharge of oil from the Facility that began on or about March 20, 2018, the response efforts, damage assessments, and all other events or results related to that discharge since the start of the discharge. Describe how you assessed damage and provide documentation to substantiate your answer.
13. Submit copies of all correspondence with Indiana, local officials, and the United States Fish and Wildlife Service since March 20, 2018 through the present, that involve the discharge from the Facility, the response to the discharge, and any other discharge-related events related to environmental damage.
14. Submit a detailed map depicting all of the areas impacted by the discharge of oil from the Facility that began on or about March 20, 2018. Show the extent of the discharge, location of recovery equipment, access routes and response staging areas, the areas that were evacuated and roads that were closed (if applicable), and all other pertinent details. Submit copies of all calculations showing: the amount of oil discharged, the amount recovered during the cleanup, the amount lost due to evaporation, the amount degraded into the environment, and the amount that may still be present in the environment.
15. Submit copies of all reports and analytical results related to the monitoring or sampling of the areas impacted by the discharge of oil from the Facility that began on or about March 20, 2018. Do not include reports and data already submitted in response to other requests in this Information Request.
16. When did the Facility begin operating? If you acquired the Facility from another owner, then state when you acquired the Facility. If you operated the facility for another owner, then state the name of that other owner, and provide the dates of your operation of the Facility.

17. Since 2015, list all pipeline integrity tests including, but not limited to, pressure tests and internal pipeline inspection tests, conducted on any part of the Facility during your ownership and/or operation of the Facility. For each such test, describe the results of the test and state whether the pipeline tested is/was subject to United States Coast Guard, United States Department of Transportation, and/or EPA requirements regarding spill or release prevention, response, and/or reporting requirements.

18. Identify where the pipeline begins and ends. Describe the pipeline infrastructure between these two points. Include the following information:

- a. The size of the pipe.
- b. A description of all materials that flow through the pipeline between these two points.
- c. A copy of a map depicting the pipeline infrastructure.
- d. A copy of each permit issued to the Facility for use of the pipeline.
- e. A copy of all documents discussing problems (i.e., discrepancy reports, unplanned shutdowns, etc.) associated with the pipeline.

19. Since 2013, identify all discharges of oil from the Facility, other than the discharge from that began on or about March 20, 2018. For each such discharge of oil from the Facility (whether or not detected as a result of a pipeline integrity test), describe, in detail, the discharge from the Facility and the response to the discharge, including, but not limited to the following:

- a. The date, and duration of the discharge of oil and/or hazardous substances.
- b. The specific location of the discharge and possible causes for the discharge.
- c. The area affected by the discharge. Include an assessment of the damage to both public and private property, public drinking water supplies, and to wildlife, resulting from the discharge and ensuing clean-up efforts.
- d. A complete narrative of response efforts. Include the number of people involved, total man hours, duration of the clean-up, a list of all equipment used, and a breakdown of the total cost of the response. Also include a current description of any areas affected by the discharge and the response efforts, and a narrative of current and future clean-up efforts resulting from the discharge.

e. A summary of the treatment and disposal of all oil and/or hazardous substances collected during the clean-up, including amounts and types of waste and any waste manifests.

f. Estimate the total amount of oil and/or hazardous substances discharged, including the amount that entered a navigable water, the amount recovered, and the amount lost. Explain how you calculated the amount of oil for each category.

20. Submit an oil flow diagram.

21. Describe the coating system used for all pipelines or segments of the Facility.

22. Describe the schedule (and provide all documentation) for inspection and maintenance for the Facility's pipeline segment.

23. Describe (and provide all documentation) any dents, corrosion, or other anomalies on the Facility's pipeline segment.

24. Describe typical operation of the pipeline segment.

25. Describe (and provide all documentation relating to) all repairs made during the past 5 years to the Facility's pipeline segment.

26. Describe (and provide all documentation relating to) all inspections of the Facility's pipeline segment conducted within the past 5 years, including whether the pipeline was excavated and/or visually or internally inspected.

27. Submit copies of all photographs and video related to the Facility's discharge that began on or about March 20, 2018.

28. For the period beginning January 1, 2013, through the date of this Information Request, list all fines and penalties for which you have been assessed. Provide copies of all administrative or judicial orders issued by any federal, state, or local agency or authority for any activity at your facilities. Identify the agency, department, or other authority that assessed the fine or penalty. State the claimed basis or bases for each fine or penalty. State the date of each fine or penalty assessment. State how each fine or penalty assessment was resolved, including the amount of any fine or penalty paid. State the date of each fine or penalty assessment resolution.